



General Assembly

**Proposed Substitute
Bill No. 5490**

February Session, 2010

LCO No. 3013

**AN ACT CONCERNING THE MINIMUM BUDGET REQUIREMENT AND
VARIOUS EDUCATION GRANTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-262i of the 2010 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective from passage*):

4 (a) For the fiscal year ending June 30, 1990, and for each fiscal year
5 thereafter, each town shall be paid a grant equal to the amount the
6 town is entitled to receive under the provisions of section 10-262h, as
7 amended by this act, as calculated using the data of record as of the
8 December first prior to the fiscal year such grant is to be paid, adjusted
9 for the difference between the final entitlement for the prior fiscal year
10 and the preliminary entitlement for such fiscal year as calculated using
11 the data of record as of the December first prior to the fiscal year when
12 such grant was paid.

13 (b) The amount due each town pursuant to the provisions of

subsection (a) of this section shall be paid by the Comptroller, upon certification of the Commissioner of Education, to the treasurer of each town entitled to such aid in installments during the fiscal year as follows: Twenty-five per cent of the grant in October, twenty-five per cent of the grant in January and the balance of the grant in April. The balance of the grant due towns under the provisions of this subsection shall be paid in March rather than April to any town which has not adopted the uniform fiscal year and which would not otherwise receive such final payment within the fiscal year of such town.

(c) All aid distributed to a town pursuant to the provisions of this section shall be expended for educational purposes only and shall be expended upon the authorization of the local or regional board of education. For the fiscal year ending June 30, 1999, and each fiscal year thereafter, if a town receives an increase in funds pursuant to this section over the amount it received for the prior fiscal year such increase shall not be used to supplant local funding for educational purposes. The budgeted appropriation for education in any town receiving an increase in funds pursuant to this section shall be not less than the amount appropriated for education for the prior year plus such increase in funds.

(d) For the fiscal years ending June 30, 2010, and June 30, 2011, the budgeted appropriation for education shall be no less than the budgeted appropriation for education for the fiscal year ending June 30, 2009, minus any reductions made pursuant to section 19 of public act 09-1 of the June 19 special session, except that for the fiscal year ending June 30, 2010, those districts whose number of resident students for the school year commencing July 1, 2009, is lower than such district's number of resident students for the school year commencing July 1, 2008, may reduce such district's budgeted appropriation for education by the difference in number of resident students for such school years multiplied by three thousand.

(e) Notwithstanding the provisions of subsection (c) of this section,

46 for the fiscal years ending June 30, 2008, and June 30, 2009, the
47 budgeted appropriation for education in any town receiving an
48 increase in funds pursuant to this section shall be not less than the
49 amount appropriated for education for the prior year plus the
50 percentage of such increase in funds as determined under subsection
51 (f) of this section.

52 (f) (1) Except as provided for in subdivisions (2), (3) and (4) of this
53 subsection, the percentage of the increase in aid pursuant to this
54 section applicable under subsection (e) shall be the average of the
55 results of (A) (i) a town's current program expenditures per resident
56 student pursuant to subdivision (36) of section 10-262f, subtracted
57 from the highest current program expenditures per resident student in
58 this state, (ii) divided by the difference between the highest current
59 program expenditures per resident student in this state and the lowest
60 current program expenditures per resident student in this state, (iii)
61 multiplied by thirty per cent, (iv) plus fifty percentage points, (B) (i) a
62 town's wealth pursuant to subdivision (26) of section 10-262f,
63 subtracted from the wealth of the town with the highest wealth of all
64 towns in this state, (ii) divided by the difference between the wealth of
65 the town with the highest wealth of all towns in this state and the
66 wealth of the town with the lowest wealth of all towns in this state, (iii)
67 multiplied by thirty per cent, (iv) plus fifty percentage points, and (C)
68 (i) a town's grant mastery percentage pursuant to subdivision (12) of
69 section 10-262f, subtracted from one, subtracted from one minus the
70 grant mastery percentage of the town with the highest grant mastery
71 percentage in this state, (ii) divided by the difference between one
72 minus the grant mastery percentage of the town with the highest grant
73 mastery percentage in this state and one minus the grant mastery
74 percentage of the town with the lowest grant mastery percentage in
75 this state, (iii) multiplied by thirty per cent, (iv) plus fifty percentage
76 points.

77 (2) For the fiscal year ending June 30, 2009, any town whose school
78 district is in its third year or more of being identified as in need of

79 improvement pursuant to section 10-223e, and has failed to make
80 adequate yearly progress in mathematics or reading at the whole
81 district level, the percentage determined pursuant to subdivision (1) of
82 this subsection for such town shall be increased by an additional
83 twenty percentage points.

84 (3) For the fiscal year ending June 30, 2010, any town whose school
85 district is in its third year or more of being identified as in need of
86 improvement pursuant to section 10-223e, and has failed to make
87 adequate yearly progress in mathematics or reading at the whole
88 district level, the percentage of the increase in aid pursuant to this
89 section applicable under subsection (e) of this section shall be the
90 percentage of the increase determined under subdivision (1) of this
91 section for such town, plus twenty percentage points, or eighty per
92 cent, whichever is greater.

93 (4) Notwithstanding the provisions of this section, for the fiscal year
94 ending June 30, 2008, and each fiscal year thereafter, any town that (A)
95 is a member of a regional school district that serves only grades seven
96 to twelve, inclusive, or grades nine to twelve, inclusive, (B)
97 appropriates at least the minimum percentage of increase in aid
98 pursuant to the provisions of this section, and (C) has a reduced
99 assessment from the previous fiscal year for students enrolled in such
100 regional school district, excluding debt service for such students, shall
101 be considered to be in compliance with the provisions of this section.

102 (5) Notwithstanding any provision of the general statutes, charter,
103 special act or home rule ordinance, on or before September 15, 2007,
104 for the fiscal year ending June 30, 2008, a town may request the
105 Commissioner of Education to defer a portion of the town's increase in
106 aid over the prior fiscal year pursuant to this section to be expended in
107 the subsequent fiscal year. If the commissioner approves such request,
108 the deferred amount shall be credited to the increase in aid for the
109 fiscal year ending June 30, 2009, rather than the fiscal year ending June
110 30, 2008. Such funds shall be expended in the fiscal year ending June

111 30, 2009, in accordance with the provisions of this section. In no case
112 shall a town be allowed to defer increases in aid required to be spent
113 for education as a result of failure to make adequate yearly progress in
114 accordance with the provisions of subdivisions (2) and (3) of this
115 subsection.

116 (g) Upon a determination by the State Board of Education that a
117 town or kindergarten to grade twelve, inclusive, regional school
118 district failed in any fiscal year to meet the requirements pursuant to
119 subsection (c), (d) or (e) of this section, the town or kindergarten to
120 grade twelve, inclusive, regional school district shall forfeit an amount
121 equal to two times the amount of the shortfall. The amount so forfeited
122 shall be withheld by the Department of Education from the grant
123 payable to the town in the second fiscal year immediately following
124 such failure by deducting such amount from the town's equalization
125 aid grant payment pursuant to this section, except that in the case of a
126 kindergarten to grade twelve, inclusive, regional school district, the
127 amount so forfeited shall be withheld by the Department of Education
128 from the grants payable pursuant to this section to the towns which
129 are members of such regional school district. The amounts deducted
130 from such grants to each member town shall be proportional to the
131 number of resident students in each member town. Notwithstanding
132 the provisions of this subsection, the State Board of Education may
133 waive such forfeiture upon agreement with the town or kindergarten
134 to grade twelve, inclusive, regional school district that the town or
135 kindergarten to grade twelve, inclusive, regional school district shall
136 increase its budgeted appropriation for education during the fiscal
137 year in which the forfeiture would occur by an amount not less than
138 the amount of said forfeiture or for other good cause shown. Any
139 additional funds budgeted pursuant to such an agreement shall not be
140 included in a district's budgeted appropriation for education for the
141 purpose of establishing any future minimum budget requirement.

142 Sec. 2. Subdivision (3) of subsection (c) of section 10-262h of the 2010
143 supplement to the general statutes is repealed and the following is

144 substituted in lieu thereof (*Effective from passage*):

145 (3) The town of East Hartford shall not receive less than its fixed
146 entitlement [pursuant to this subsection] for the fiscal year ending June
147 30, 2009.

148 Sec. 3. Subdivision (4) of subsection (a) of section 10-264i of the 2010
149 supplement to the general statutes is repealed and the following is
150 substituted in lieu thereof (*Effective from passage*):

151 (4) For the fiscal [year] years ending June 30, 2009, and June 30,
152 2010, in addition to the grants otherwise provided pursuant to this
153 section, the Commissioner of Education may provide supplemental
154 transportation grants to regional educational service centers for the
155 purposes of transportation to interdistrict magnet schools. Any such
156 grant shall be provided within available appropriations and after the
157 commissioner has reviewed and approved the total interdistrict
158 magnet school transportation budget for a regional education service
159 center, including all revenue and expenditure estimates.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	10-262i
Sec. 2	<i>from passage</i>	10-262h(c)(3)
Sec. 3	<i>from passage</i>	10-264i(a)(4)